

IN THE CIRCUIT COURT OF TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

FILED

JIMMY MOORE,
Clerk of Circuit Court of
Shelby County, Tennessee,
Petitioner,

JUN 26 2008

CIRCUIT COURT CLERK
BY _____ D.C.

v.

No. 64604-9 T.D.

DAVID LILLARD, Chairman of
the Board of Commissioners of Shelby
County, Tennessee, and A C WHARTON, JR.,
Mayor of Shelby County, Tennessee,
Respondents.

**PETITION FOR FIXING COMPENSATION AND AUTHORIZATION
TO EMPLOY AND PAY DEPUTIES AND ASSISTANTS**

Comes now the Petitioner in the above styled cause, JIMMY MOORE, Clerk of the
Circuit Court of Shelby County, Tennessee, pursuant to Tenn.Code Ann. 8-20-101(1) and files
this Petition for authority to employ and pay personnel in his office, and would respectfully show
unto the Court as follows:

1. Petitioner would show that he is the regularly elected and duly qualified Clerk of the
Circuit Court of Shelby County, Tennessee, and that his term of office began September 1, 2006,
and that the Respondent, David Lillard, is the Chairman of the Board of Commissioners of
Shelby County, Tennessee; and that the Respondent, A C Wharton, Jr., is the Mayor of Shelby
County, Tennessee.

2. Petitioner would show that he is advised it is necessary for him to secure authority for
his office, and hereby requests authority from this Honorable Court to employ deputies and
assistants in his office and hereby requests authority from this Honorable Court to employ

6-27-08
m/huddes

personnel for the following positions and to pay them the compensation listed in Exhibit 1 and incorporated herein by reference, from and after July 1, 2008, consistent with the provisions of the Fair Labor Standards Act of 1938, as amended in 1974.

3. Petitioner would show that the salaries to be paid the above employees are all reasonable in keeping with their responsibilities and with the salaries paid to the employees of Shelby County Government doing similar work and having similar responsibilities, and with the accepted Salary policy adopted by the Shelby County Board of Commissioners, with resolution, July 7, 2008.

4. Petitioner respectfully requests that he be authorized to employ certain temporary employees as from time to time may become necessary, in his discretion, at a salary not to exceed \$12.01 per hour.

5. Petitioner would show that all salaries, listed in said Exhibit 1, are in compliance with 2008-2009 Shelby County Salary Policy and Personnel Policy (Personnel Management Systems, Volumes I and II) as approved by the Civil Service Merit Board and the Board of Commissioners and hereby requests that Petitioner be authorized and empowered to make other necessary reclassifications, equity, promotion and probationary salary adjustments to current salaries and position titles as approved in this Petition and that are permitted and in compliance with these policies.

6. Petitioner would show that the employees of this office are desirous of participating in the County plans of hospitalization insurance with major medical coverage, and group life insurance, established by the County Commission for such plans and that under these plans the Petitioner may pay from the fees of this office all employer premiums at the rates established by the County Commission for such plans.

7. Petitioner would further show that the employees of this office are desirous of participating in the County pension and retirement system for which the Petitioner may pay from the fees of this office the contributions at the rate established by the County Commission.

8. Petitioner prays and respectfully requests of this Court that the employees of the Circuit Court Clerk of Shelby County, Tennessee, be allowed to participate in the County plans of hospitalization insurance with major medical coverage, and group life insurance. Employees shall contribute at the rates established by the County Commission for such plans.

9. Petitioner respectfully requests authority to make the aforementioned contributions for the benefit of the deputies and assistants in this office

10. Petitioner would further show that certain additional benefits under Social Security and Medicare Program require the payment of a percentage of certain employees' salaries to be paid, and requests authorization for same.

WHEREFORE, PREMISES CONSIDERED, PETITIONER PRAYS:

That he be permitted to file this Petition and that a copy hereof be served upon the Chairman of the Board of County Commissioners, Shelby County, Tennessee, and upon the Mayor of Shelby County, Tennessee, each through the County Attorney and that they be required to answer same, but not under oath, which is hereby expressly waived.

That upon a hearing petitioner be authorized and empowered to employ and pay his deputies and assistants at the salaries listed in said Exhibit 1, to be effective from and after July 1, 2008, consistent with the provisions of the Fair Labor Act of 1938, as amended in 1974.

That the Petitioner shall pay these salaries in compliance with the 2008-2009 Shelby County Salary Policy and Personnel Policy (Personnel Management Systems, Volumes I and II) as approved by the Civil Service Merit Board of Commissioners and that Petitioner be further

authorized and empowered to make other necessary reclassifications, equity, promotion and probationary salary adjustments to current salaries and position titles as approved in this Petition, that are permitted and are in compliance with these policies.

That Petitioner, in his sole discretion, be authorized and empowered to employ certain temporary employees as from time to time may become necessary at salaries not to exceed \$12.01 per hour.

That Petitioner be authorized and empowered to pay out of the fees of his office premiums due on hospitalization insurance with major medical coverage, and group life insurance, for the employees of his office at the rates established by the County Commission.

That Petitioner be authorized and empowered to contribute from the fees of his office such sums that might be required for premiums on hospitalization insurance, life insurance and contributions to the Pension and Retirement System of Shelby County for the benefit of his employees necessitated by rate increases approved by resolutions adopted by the Board of Commissioners of Shelby County, Tennessee.

That Petitioner be further authorized to make the required contributions from certain employees' salaries with regard to Social Security and Medicare Program.

That this cause be retained in this Court for such other and further orders and decrees as from time to time may be proper.

That Petitioner has such other and further relief, both general and specific, to which he may be entitled in the premises.

Respectfully submitted:

Kustoff & Strickland, PLLC
22 N. Front Street, Suite 660
Memphis, TN 38103
Ph. (901) 527-0255

BY:

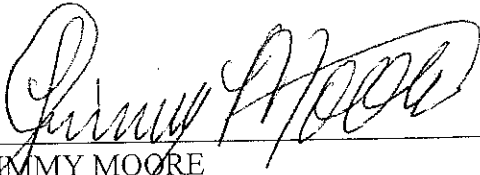

DAVID F. KUSTOFF

BPR# 15516

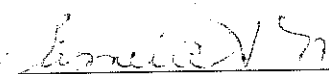
Attorney for Petitioner

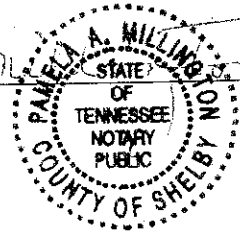
STATE OF TENNESSEE
COUNTY OF SHELBY

I, Jimmy Moore, make oath in due form of law that I am the Petitioner in the foregoing Petition, that I have read and understand the same, and the facts stated therein of my knowledge are true, and those stated on information and belief, I verily believe to be true.


JIMMY MOORE

SWORN TO AND SUBSCRIBED BEFORE ME this 26 day of June,
2008.


Notary Public



My commission expires:
My Commission Expires 3-25-2012

EXHIBIT 1

<u>CLASSIFICATION</u>	<u>POSITION NUMBER</u>	<u>FY09 ANNUAL SALARY</u>
1 Circuit Court Clerk	863475-00	106,814.00
2 Chief Administrator	864402-00	97,424.00
3 Administrator B	960120-00	81,248.00
4 Deputy Administrator A	864472-00	72,107.00
5 Deputy Administrator A	860681-00	68,390.00
6 Computer System Analyst	862203-00	66,964.00
7 Administrative Assistant	870478-00	64,634.00
8 Manager B	861275-00	65,615.00
9 Courtroom, Appeals & Minute Mgr	863874-00	51,903.00
10 Manager B	861171-00	51,903.00
11 Manager B	862091-00	51,568.00
12 Chief Executive Secretary	900529-00	38,003.00
13 Principal Court Clerk	863733-00	38,003.00
14 Chief Principal Court Clerk	863806-00	37,990.00
15 Executive Secretary	900598-00	37,147.00
16 Principal Court Clerk	860542-00	33,900.00
17 Principal Court Clerk	920099-00	33,058.00
18 Principal Court Clerk	860295-00	33,057.00
19 Principal Court Clerk	860375-00	33,057.00
20 Principal Court Clerk	860941-00	33,057.00
21 Principal Court Clerk	860942-00	33,057.00
22 Principal Court Clerk	861954-00	33,057.00
23 Principal Court Clerk	862223-00	33,057.00
24 Principal Court Clerk	862247-00	33,057.00
25 Principal Court Clerk	862772-00	33,057.00
26 Principal Court Clerk	864010-00	33,057.00
27 Principal Court Clerk	870492-00	33,057.00
28 Principal Court Clerk	930054-00	33,057.00
29 Principal Court Clerk	863638-00	32,095.00
30 Bookkeeping Specialist	861498-00	31,483.00
31 Bookkeeping Specialist	863358-00	33,541.00
32 Deputy Court Clerk	864265-00	30,210.00
33 Collections-Counselor	861417-00	29,446.00
34 Collections Counselor	864669-00	29,446.00
35 Collections Counselor	930056-00	29,446.00
36 Deputy Court Clerk	920098-00	28,152.00
37 Deputy Court Clerk	960113-00	29,564.00
38 Deputy Court Clerk	864075-00	28,152.00
39 Deputy Court Clerk	870445-00	28,152.00
40 Deputy Court Clerk	930053-00	28,152.00
41 Deputy Court Clerk	930055-00	28,152.00
42 Deputy Court Clerk	960114-00	28,152.00
43 Deputy Court Clerk	960119-00	27,947.00
44 Deputy Court Clerk	960115-00	26,616.00
45 Deputy Court Clerk	861431-00	25,415.00
		1,854,419.00

Temporary Positions

1 Clerk	890217	24,306
2 Clerk	864527	24,306
3 Clerk	891172	6,103
4 Clerk	960117	28,440
5 Clerk	890219	24,307
6 Clerk	70796	4,422
7 Clerk	890218	12,150
8 Clerk	891175	24,306

\$148,340.00

FIAT

TO THE CLERK OF THE COURT:

Upon the filing of the foregoing petition, issue notice to the Defendant, requiring the Defendant to appear before me in the Circuit Court of Shelby County, Tennessee, on the 31st day of JULY, 2008, at 9:30 ~~a.m.~~ p.m. for a hearing in this cause upon this petition.

15/ Robert L. Childers
JUDGE

DATE: 6-26-08

AT TRUE COPY ATTEST

JIMMY MOORE, Clerk